

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

ALCON LABORATORIES, INC.,

Plaintiff,

v.

LENS.COM, INC.

Defendant.

Case No.: 18-cv-00407-NG-RLM

Judge Nina Gershon

**(ORAL ARGUMENT  
REQUESTED)**

**NOTICE OF LENS.COM, INC.'S MOTION TO DISMISS FOR LACK OF PERSONAL  
JURISDICTION OR TO TRANSFER VENUE**

PLEASE TAKE NOTICE that, upon the declaration of Mark Bettilyon in support of Lens.com's Motion to Dismiss for Lack of Personal Jurisdiction or to Transfer Venue ("Motion") and the exhibits annexed thereto, including the declaration of Cary Samourkachian, the accompanying Memorandum of Law in Support of the Motion, and all of the prior pleadings and proceedings, Defendant Lens.com, Inc. ("Lens.com") will move this Court before the Honorable Nina Gershon, United States District Judge, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined by the Court, for an order dismissing the complaint filed by Plaintiff Alcon Laboratories, Inc. for lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2) or, alternatively, to transfer venue to the District of Nevada pursuant to 28 U.S.C. § 1404(a), together with such further relief as the Court may deem just and proper.

Dated: June 7, 2018  
Salt Lake City, Utah

THORPE NORTH & WESTERN, LLP

By: /s/ Mark Bettilyon

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